

Jeffrey T. LaRosa, Esq.  
SCHENCK, PRICE, SMITH & KING, LP  
220 Park Avenue | PO Box 991  
Florham Park, New Jersey 07932  
(973) 539-1000  
Attorneys for Defendant/Third Party Plaintiff

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

XL SPECIALTY INSURANCE COMPANY,

Plaintiff,

vs.

PCS WIRELESS WAREHOUSE, INC. and PCS  
WIRELESS, LLC,

Defendants,

-and-

PCS WIRELESS, LLC,

Third-Party Plaintiff,

vs.

INTEGRITY INSURANCE BROKERAGE and  
PROGRAM BROKERAGE CORPORATION,

Third-Party Defendants.

Civil Action No. 2:18-cv-17210

**AFFIDAVIT OF MERIT OF  
PHILIP LIEBERMAN, CPCU, CLU**

*Florida*  
STATE OF ~~NEW JERSEY~~ )  
 )  
COUNTY OF *Sarasota* ) SS:

I, PHILIP LIEBERMAN, CPCU, CLU, being of full age, and being duly sworn  
according to law, upon his oath, affirms the following under penalties of perjury:

1. I am a licensed insurance producer in the State of New Jersey and have been licensed since 1960. I received my Chartered Property Casualty Underwriter (CPCU) designation in 1964 and my Chartered Life Underwriter (CLU) designation in 1967. I founded Lieberman Consulting Services, LLC in 2000 and since then, I have been a teacher of insurance, a consultant to commercial policyholders and insurance agencies, and an expert witness.

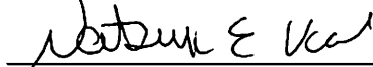
2. I have no financial interest in the outcome of the captioned case.

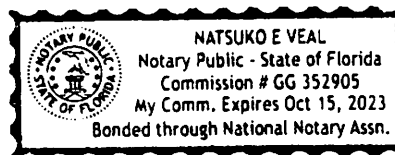
3. In my opinion, there exists a reasonable probability, based on the information to date, that the care, skill, or knowledge which Integrity Insurance Brokerage, LLC and/or Program Brokerage Corporation, their servants and/or employees, exercised and exhibited with regard to obtaining and maintaining proper insurance coverage for PCS Wireless, LLC *et al* as referenced in the third party complaint fell outside acceptable professional standards and practice of an insurance broker.

4. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
Philip Lieberman, CPU, CLU

Sworn and subscribed to before me  
on this 27 day of March, 2020.

  
Notary Public



### NOTICE

If any party has any objection to the sufficiency of this Affidavit of Merit, third party plaintiff hereby demands that the party immediately notify the third party plaintiff of any such alleged deficiencies so that same may be corrected if necessary and within the time contains of N.J.S.A. 2A:53A-26, et seq.